

ESTTA Tracking number: **ESTTA462388**Filing date: **03/19/2012**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

**Petitioner Information**

Name	Total Life Changes, LLC		
Entity	Corporation	Citizenship	USA
Address	9453 Marine City Highway Ira, MI 48023 UNITED STATES		

Attorney information	Jeffrey P. Thennisch Dobrusin & Thennisch 29 West Lawrence Street, Suite 210 Pontiac, MI 48342 UNITED STATES jeff@patentco.com, bwhitten@patentco.com, torr@patentco.com Phone:(248) 292-2920
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**Registration Subject to Cancellation**

Registration No	3271114	Registration date	07/31/2007
Registrants	Wheeler, David Suite 108 8196 Hall Blvd Beaverton, OR 97008 UNITED STATES  Kosztolanyi, Nora Suite 108 8196 Hall Blvd Beaverton, OR 97008 UNITED STATES		

**Goods/Services Subject to Cancellation**

Class 030. First Use: 2006/09/01 First Use In Commerce: 2006/09/27  
All goods and services in the class are cancelled, namely: Beverages made of tea; Tea-based beverages with fruit flavoring; Herb tea

**Grounds for Cancellation**

Abandonment	Trademark Act section 14
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Related Proceedings	Case Name: Total Life Changes, LLC v. Wheeler et al Case Number: 2:12-cv-11202-DPH-LJM Filer: Total Life Changes, LLC Document Number: 1 Judge(s) Assigned: Denise Page Hood (presiding), Laurie J. Michelson (referral)
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Attachments	Petition.pdf ( 2 pages )(153063 bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Jeffrey P. Thennisch/
Name	Jeffrey P. Thennisch
Date	03/19/2012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of  
Registration No.: 3,271,114

For the Mark: IASO

Date Registered: July 31, 2007

CANCELLATION NO. \_\_\_\_\_

International Classes: 030

TOTAL LIFE CHANGES, LLC.

Petitioner,

v.

DAVID WHEELER And NORA KOSZTOLANYI

Registrant.

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PETITION FOR CANCELLATION

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Petitioner, TOTAL LIFE CHANGES, LLC., is a Michigan limited liability company having a business address at 9453 Marine City highway in Ira, Michigan 48023 (hereinafter "Petitioner").

Petitioner asserts that it will be damaged by the continued registration of the mark, IASO, as shown in U.S. Reg. No. 3,271,114 (hereinafter the "Registered Mark") for the goods identified therein in International Class 030 for Beverages Made of Tea; Tea-Based Beverages With Fruit Flavoring; Herb Tea, and hereby petitions to cancel same.

To the best of Petitioner's knowledge, the name and address of the current owner(s) of the Registered Mark is/are DAVID WHEELER and NORA KOSZTOLANYI, each having an address of record at 8196 Hall Boulevard, Suite 108 in Beaverton, Oregon 97008 (hereinafter "Registrant").

To the best of Petitioner's knowledge, the Registered Mark was the subject matter of an application filed on October 3, 2006 under Section 1(a) of the Lanham Act, and issued on July 31, 2007.

AS GROUNDS FOR THE PETITION TO CANCEL, IT IS ALLEGED THAT:

1. Upon information and belief, Registrant, individually and/or collectively, has abandoned the Registered Mark by a failure to actually commence control and/or maintain any putative use of the Registered Mark in commerce and that the Registered Mark should be cancelled on the grounds of abandonment and non-use.

2. Upon information and belief, Registrant, individually and/or collectively, does not sell, provide, or otherwise utilize the Registered Mark for the goods set forth in the Registered Mark.

3. Petitioner has been, and will continue to be damaged by the Registered Mark as applied to the putative goods provided by the Registrant.

WHEREFORE, Total Life Changes, LLC., respectfully prays that this petition be granted and that U.S. Reg. No. 3,271,114 for IASO for the goods therein be stricken from the register. This Petition to Cancel is submitted with the requisite \$300 filing fee.

Respectfully submitted,



Jeffrey P. Thennisch  
Dobrusin & Thennisch PC  
29 W. Lawrence Street, Suite 201  
Pontiac, MI 48342  
Telephone: (248) 292-2920

ATTORNEYS FOR PETITIONER

Dated: March 19, 2012